

# **EXHIBIT 1**

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W. Evans Brittain  
Ball, Ball, Matthews & Novak, P.A.  
2000 Interstate Park Drive, Suite 204  
P.O. Box 2148  
Montgomery, AL 36102-2148

**RE: Lori Ann Morris v. Edward Neal Thompson and Florida Transformer,  
Civil Action No.: 3:05-CV-962-T, Middle District of Alabama**

Dear Mr. Brittain:

Earlier this week, I received an Order from Judge Thompson requiring me to respond to certain discovery propounded by Defendants. Pursuant the Federal Rules of Civil Procedure governing removal, and to the local rules, the Plaintiff's discovery initiated in the Circuit Court of Macon County is due. Within ten (10) days of receipt of this letter, please provide me with the responses to Plaintiff's discovery. Plaintiff's discovery was initiated first. I would appreciate receiving said discovery before responding to the discovery propounded by Defendants.

If responses to interrogatories and request for production are not received within ten (10) days, I will be required to file a Motion to Compel.

If you have any questions regarding this matter, please call.

Very truly yours,



Henry L. Penick